

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BLACK LIVES MATTER SEATTLE-
KING COUNTY, ABIE EKENEZAR,
SHARON SAKAMOTO, MURACO
KYASHNA-TOCHA, ALEXANDER
WOLDEAB, NATHALIE GRAHAM,
AND ALEXANDRA CHEN,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

No. 2:20-cv-00887-RAJ

DECLARATION OF ELLIOT GRACE
HARVEY IN SUPPORT OF MOTION FOR
TEMPORARY RESTRAINING ORDER

I, Grace Harvey, declare and state as follows:

1. The information contained in this declaration is true and correct to the best of my knowledge, and I am of majority age and competent to testify about the matters set forth herein.

2. I am from and still currently reside in Seattle, Washington. I am thirty years old. I am an accountant and a full-time student. I have been unable to join in recent protests because I have a chronic underlying medical condition which impacts my mobility and renders me particularly susceptible to respiratory distress.

1 3. However, I live about one half-block away from recent clashes between the
2 Seattle Police Department and protesters and consequently have suffered health effects and
3 trauma from my home.

4 4. On Monday, June 1, at around 9:10 p.m., Seattle Police deployed tear gas that
5 permeated my home and caused me to develop a severe cough and made it difficult for me to
6 breathe. I took refuge in a neighbor's apartment unit that does not have any windows and stayed
7 sheltered in place there for a few hours. Eventually, to protect my health, I had to flee my
8 apartment building and stay in a hotel in North Seattle that night.

9 5. The next day, Tuesday, June 2, I was in contact with my specialty care physician,
10 who told me not to return home until I was sure that the use of chemical agents had stopped. I
11 stayed in the same hotel again that night. However, I came home Wednesday, even though I was
12 not sure that the use of chemical agents had stopped, because of the expense and inconvenience
13 of sheltering indefinitely in a hotel.

14 6. On Saturday, June 6, I experienced stinging eyes from pepper spray bombs used
15 by the Seattle Police.

16 7. I am terrified that the police will again deploy tear gas and that I will not be able
17 to get away from my apartment safely. If a chemical agent entered my home again and caused
18 similar respiratory effects, I would need to leave immediately. Prolonged exposure to chemical
19 agents could cause severe negative health impacts. I do not have a car and I have limited
20 mobility, so I am unable to evacuate to a safe place without assistance. I am also anxious about
21 the possibility of the police line moving past my apartment building, in which case it would
22 become even more difficult for me to evacuate safely during a confrontation. I feel trapped and
23 unsafe in my own home. I have no good options: I can either stay in my apartment and risk
24 being stranded there during a tear gas assault, or I can flee to a hotel, where I will have to pay
25 nightly for the inconvenience of being forced from my home, and where I will not have access to
26 basic necessities like laundry and a kitchen.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

148476789.1